

REMARKS

The rejections are not understood *inter alia* because claim 23 is rejected under Section 103. Claim 23 includes the sole limitation that “a photoacid generator including a cation that is entirely sigma-bonded.” That claim is rejected under Section 103 over a single reference. As explained below, it is not believed that a single reference Section 103 rejection can make out a *prima facie* rejection. But, more importantly, the limitation of claim 23 is entirely included within claim 3. However, claim 3 inexplicably was rejected under Section 102 on the same reference. As a matter of law and logic, there is no way that claim 3 could be rejected under Section 102 and claim 23 could be rejected under Section 103 since claim 3 necessarily includes more limitations than claim 23.

This highlights an issue that the office action does not specifically address any of the dependent claims. Namely, claim 2 calls for forming an anion and a cation, wherein the cation does not include a phenyl. But PAGs 4-9 and 4-10, pointed to in the office action, do include a phenyl. Therefore, reconsideration of the rejection of claim 2 is respectfully requested.

Reconsideration of the rejection of claim 3, under 102, is requested since it is plainly conceded that the single reference does not teach what is set forth in claim 3.

Claim 5 calls for the situation wherein the photoacid generator is more transparent than phenyl containing photoacid generators. Since the only compounds pointed to are phenyl containing photoacid generators, the cited reference cannot meet claim 5.

Claim 6 calls for a photoresist wherein the photoacid generator includes a cation with a first moiety sigma bonded to a base atom and chain coupled to said base atom, the chain, in turn, coupled by a double bond to a second moiety. It does not appear that any of the cited material addresses this limitation.

Likewise, claim 10 calls for a photoacid generator with a base ion coupled by two sigma bonds, the base atom coupled to a chain, in turn, coupled to a first moiety, the first moiety coupled through a double bond to a second moiety.

A similar analysis applies to claims 15, 16, 18, 19, and 22.

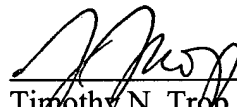
With respect to the rejection of claim 23, it is noted that in order to make out a proper Section 103 rejection, there must be taught a rationale to modify the cited references to meet the claimed limitation. Here, it is logically impossible that the cited reference could teach how to

modify itself. It either teaches the invention or it teaches something that could be combined with something else. But here, nothing is combined with the single sole reference. Therefore, a *prima facie* rejection is not made out. The conclusion of obviousness, based on the single reference, is based on a subjective, hindsight, standard and not on the required objective standard. The conclusion that one would expect success with the claimed combination when the claimed combination is not taught by the reference is counterintuitive. Therefore, reconsideration of the rejection of claim 23 and its dependent claims is respectfully requested.

In view of these remarks, the application is now in condition for allowance.

Respectfully submitted,

Date: March 17, 2005



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